



CITY OF WESTFIELD, IN
Board of Public Works Meeting Agenda_10_25_2023

Wednesday, October 25, 2023 at 01:00 PM

BOARD OR COMMISSION: Board of Public Works and Safety

MEETING DATE: Wednesday, October 25, 2023 at 01:00 PM

MEETING PLACE: Westfield City Services Center- Main Level Conference

THE FOLLOWING AGENDA IS SUBJECT TO CHANGE AT THE DISCRETION OF THE BOARD OF PUBLIC WORKS AND SAFETY

AGENDA ITEMS

Meeting Minutes Consideration for Approval

Action Item #1:

Minutes – September 27, 2023

Documents: [Minutes - September 27, 2023](#)

Contracts/Agreements

Action Item #2:

**NX Westfield MOB, LLC & City of Westfield – Grand Millennium Medical Office Building
- Road Impact Fee Installment Agreement**

Documents: [Road Impact Fee Installment Agreement](#)

Action Item #3:

City of Westfield & Hunt Real Estate - 161st & Oak RAB Parcel Settlement Agreement

Documents: [Settlement Terms](#)

Consent Agenda

Recommendation from Chief Rush pursuant to 36-8-8-12.3

October Bond Information

Documents: [October Bond List](#)

Department Reports

Fire

Police

Documents: [WPD - September Report](#)

Public Works



October 25, 2023

Consent Agenda Item:

Performance Bond Acceptance

The Westfield Public Works Department is recommending that the Board of Public Works and Safety [accept](#) the following Performance Bonds for the requested developments:

- Epcon Westfield, LLC, Courtyards of Westfield, Section 2, Bond #PB00155802035, \$234,087.15, Streets/Curbs
- Epcon Westfield, LLC, Courtyards of Westfield, Section 2, Bond #PB00155802036, \$152,609.60, Storm Sewer
- Epcon Westfield, LLC, Courtyards of Westfield, Section 2, Bond #PB00155802038, \$29,003.16, Common Area Sidewalks
- Epcon Westfield, LLC, Courtyards of Westfield, Section 2, Bond #PB00155802037, \$50,585.11, 8' Asphalt Path

Performance Bond Release

The Westfield Public Works Department is recommending that the Board of Public Works and Safety consider the following Performance Bonds for [release](#) by the requested developer:

- Cornerstone Medical Construction, LLC, Austrian Pine PUD (OrthoIndy), Bond & Rider #1143119, \$843,201.00, Storm Sewer, Trail, Erosion Control, & ROW Improvements
- Herman & Kittle Properties, Inc., Commons at Springmill Apartments, Bond #929533012, \$112,858.90, Storm Sewer
- Herman & Kittle Properties, Inc., Commons at Springmill Apartments, Bond #929533013, \$29,637.30, Erosion Control
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5A, Bond #SU1180128, \$429,913.59, Asphalt Paving & Local Streets
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5A, Bond #SU1180126, \$448,483.75, Storm Sewer
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5A, Bond #SU1180125, \$34,980.00, Asphalt Paths
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5A, Bond #SU1180127, \$42,449.00, Concrete Curb
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5A, Bond #SU1180124, \$16,753.00, Common Area Sidewalk
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5B, Bond #SU1180133, \$372,324.55, Asphalt Paving & Local Streets
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5B, Bond #SU1180131, \$188,444.30, Storm Sewer
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5B, Bond #SU1180130, \$47,190.00, Asphalt Paths
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5B, Bond #SU1180132, \$35,997.50, Concrete Curb
- Pulte Homes of Indiana, LLC, Kimblewick, Section 5B, Bond #SU1180129, \$3,377.00, Common Area Sidewalk

- Structure Tone Southwest, LLC, Abbott Laboratories, Bond #107176924, \$450,890.00, Streets/Curbs, Storm Sewer, Sidewalks, & Erosion Control
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #60128112, \$13,590.50, Soil Stabilization
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond & Rider #0211387, \$36,679.50, Erosion Control
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #60128108, \$42,111.85, Storm Sewers & Subsurface Drains
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #60128107, \$68,004.31, Stone, Binder, & Surface
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #60128106, \$19,726.30, Curbs
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #60125475, \$36,180.10, Common Area Path
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #60125474, \$7,689.55, Common Area Sidewalk
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0222606, \$149,804.00, Storm Sewers & SSD
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0222608, \$20,189.00, Common Area Sidewalk
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0222607, \$22,381.00, Right of Way 8' Concrete Path
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0218568, \$22,285.18, Erosion Control
- Platinum Properties Management Company, LLC, Casey Corner, Bond #4172304, \$380,322.00, Storm Sewer & SSD
- Platinum Properties Management Company, LLC, Casey Corner, Bond #4172305, \$82,647.00, Concrete Curbs & CA Walks: Roll Curb & Gutter, CA Walks & Ramps
- Platinum Properties Management Company, LLC, Casey Corner, Bond #4172306, \$302,297.60, Asphalt Paving: Interior Local (Subgrade Treatment, 6" Stone, 2.5" Base, 2.5" Intermediate, 1.5" Tac & Surface), and Emergency Drive (6" Stone, 2.5" Base, 2.5" Intermediate, 1.5" Tac & Surface, Safety Bollards)
- Platinum Properties Management Company, LLC, Casey Corner, Bond #4172855, \$39,376.70, Erosion Control
- Platinum Properties Management Company, LLC, Casey Corner, Bond #4172858, \$35,882.00, Asphalt Paving – 8' ROW Path
- Platinum Properties Management Company, LLC, Casey Corner, Bond & Rider #4172856, \$58,724.60, Asphalt Paving – Entry Collector (Casey Road Pavement)

Maintenance Bond Acceptance

The Westfield Public Works Department is recommending that the Board of Public Works and Safety [accept](#) the following Maintenance Bonds for the requested developments:

- Cornerstone Medical Construction, OrthoIndy Westfield Project, Phase 1, Bond #LICX1215418, \$84,320.10, Storm Sewer, Trail, Erosion Control & ROW Improvements
- E&B Paving, LLC, Kimblewick, Section 5A, Bond #30198606, \$46,489.36, Onsite Stone Base, Asphalt Binder, Asphalt Surface, Path Stone Base, & Surface
- Conco Curbs & Paving, LLC, Kimblewick, Section 5A, Bond #B3292845, \$4,244.90, Curb & Gutter
- The Snider Group, Inc., Kimblewick, Section 5A, Bond #B3287042, \$44,848.00, Storm Sewers
- Conco Curbs & Paving, LLC, Kimblewick, Section 5A, Bond #B3292846, \$1,675.30, Common Area Sidewalks
- E&B Paving, LLC, Kimblewick, Section 5B, Bond #30198607, \$41,951.46, Onsite Stone Base, Asphalt Binder, Asphalt Surface, Path Stone Base, & Surface
- Conco Curbs & Paving, LLC, Kimblewick, Section 5B, Bond #B3292847, \$3,599.75, Curb & Gutter
- The Snider Group, Inc., Kimblewick, Section 5B, Bond #B3287043, \$18,844.00, Storm Sewers
- Conco Curbs & Paving, LLC, Kimblewick, Section 5B, Bond #B3292848, \$337.70, Common Area Sidewalks
- Abbott Laboratories, Bond #107836627, \$33,120.00, Streets/Curbs, Storm Sewer, & Sidewalks
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #CIC1939818, \$1,235.50, Soil Stabilization (Lime)
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #CIC1939816, \$1,793.30, Curbs
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #CIC1939819, \$3,828.35, Storm Sewer & SSD
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #CIC1939814, \$699.05, Common Area Sidewalk
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #CIC1939815, \$3,289.13, Common Area Path

- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #0254962, \$3,334.50, Erosion Control
- M/I Homes of Indiana, LP, Waters Edge West, Section 2, Bond #CIC1939817, \$6,182.21, Stone, Binder, & Surface
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0254965, \$13,618.50, Storm Sewers & SSD
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0254966, \$1,835.40, Common Area Sidewalk
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0254964, \$2,034.60, Right of Way 8' Concrete Path
- M/I Homes of Indiana, LP, Waters Edge West, Section 3, Bond #0254963, \$2,025.93, Erosion Control
- Karns, Inc., Casey Corner, Bond #BMIJ566490, \$7,513.30, Concrete Curb & Common Area Walk
- Platinum Properties Management Company, LLC, Casey Corner, Bond #5072861, \$3,579.70, Erosion Control
- Weihe Construction, Inc., Casey Corner, Bond #9339072, \$34,574.70, Storm Sewer & SSD
- Globe Asphalt Paving Co., Inc., Casey Corner, Bond #7671010, \$36,082.20, Asphalt Paving: Local Roadway, Emergency Drive, Entry Collector, & Asphalt Path

Maintenance Bond Release

The Westfield Public Works Department is recommending that the Board of Public Works and Safety [release](#) the following Maintenance Bonds for the requested developments:

- **NONE**

Westfield Police Department

Monthly Performance Measures Report



Board of Public Works & Safety

September 2023

Table of Contents

	Page
1. Field Activity Performance Measures	
Events by Nature	1
Events by Incident Type	2
UCR Offenses	3
Arrests & traffic	4
Top Accident Locations	5
Total Accidents by Primary Cause	6
2. Community Events	7

Westfield Police Department

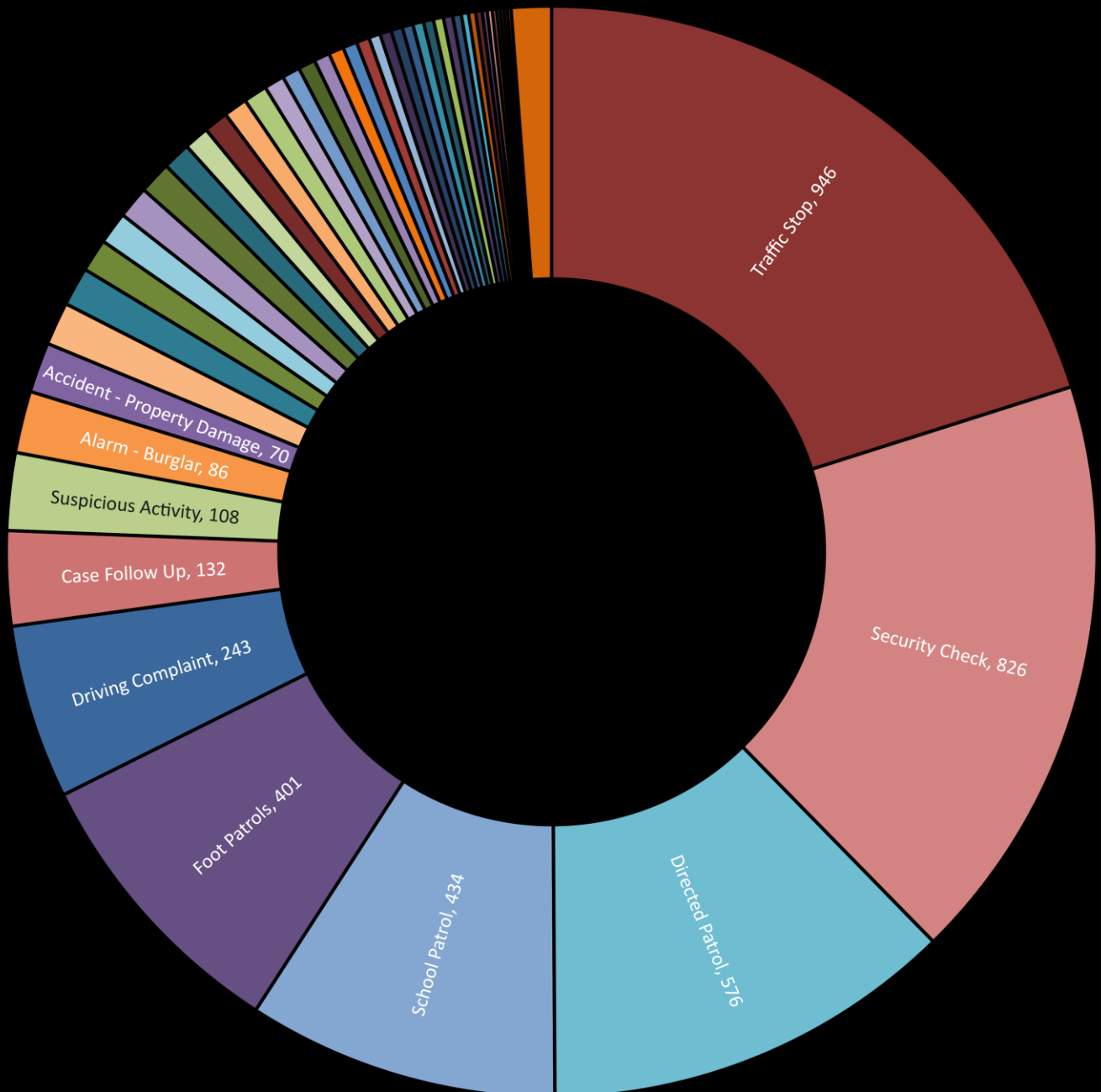
September 2023

Events by Nature

Incident Type	Count	Column1	Count Cont.
911 Hang Up	20	Investigative Stop	2
Abandoned Vehicle	6	Juvenile Complaint	28
Abandonment	0	K9 Detail	2
Abuse / Neglect	4	Kidnapping	0
Accident - Hit & Run PD	14	Lock Out	45
Accident - Hit & Run PI	0	Loud Party	2
Accident - Other	1	Mental Emotional - Violent	5
Accident - Property Damage	70	Mental Emotial/Suicide Attempt	0
Accident - Personal Injury	10	Mental Person	2
Accident - Sinking Vehicle	0	Miscellaneous	16
Accident - Unknown	2	Missing Person	9
Accelerator Stuck	0	Missing Person - PLS	0
Active Assailant	0	New Call	0
Alarm - Other	3	Nuisance	2
Alarm - Vehicle	1	Ordinance Misc.	24
Alarm - Burglar	86	Parking Complaint	16
Alarm - Hold Up	12	Physical Disturbance	14
Animal Bite / Attack	3	Product Contamination	0
Animal Complaint	34	Reckless Activity	1
Assist Fire	45	Road Rage	5
Assist Other Department	13	Robbery	0
Assist Public	39	Runaway	4
Battery	10	School Patrol	434
Bike Patrol	25	Security Check	826
Bomb Device Found	0	Sex Offense	2
Bomb Threat	0	Shooting	0
Burglary	3	Solicitor	1
Carjacking	0	Special Detail	0
Case Follow Up	132	Stabbing	0
Child Seat Inspection	1	Suicide	0
Civil Dispute	33	Suspicious Activity	108
Criminal Mischief	22	Suspicious Package	0
Damage to Property	0	Suspicious Person	0
Death Investigation	0	Test	0
Directed Patrol	576	Theft	45
Disturbance	33	Theft - From a Vehicle	3
Domestic	0	Theft - of a Vehicle	4
Driving Complaint	243	Theft Shoplifter	0
Drug Complaint	18	Threat to Life	5
Drug Lab	0	Threatening Suicide	4
Escort	0	Tow Release	0
Fail to Return Comm Corrections	0	Traffic Hazard	60
Fight	0	Transport	0
Firearms Shots Fired	5	Trespassing	15
Foot Patrols	401	Traffic Stop	946
Found / Lost Property	15	Unknown Call for Police	2
Found Person	2	VIN Check	46
Fraud Prescription	0	Wanted	2
Fraud / Deception	21	Warrant Service	7
Harassment	16	Weapons Complaint	3
Intoxicated Person	7	Welfare Check	54
Investigation	35	Total	1961

Westfield Police Department
September 2023

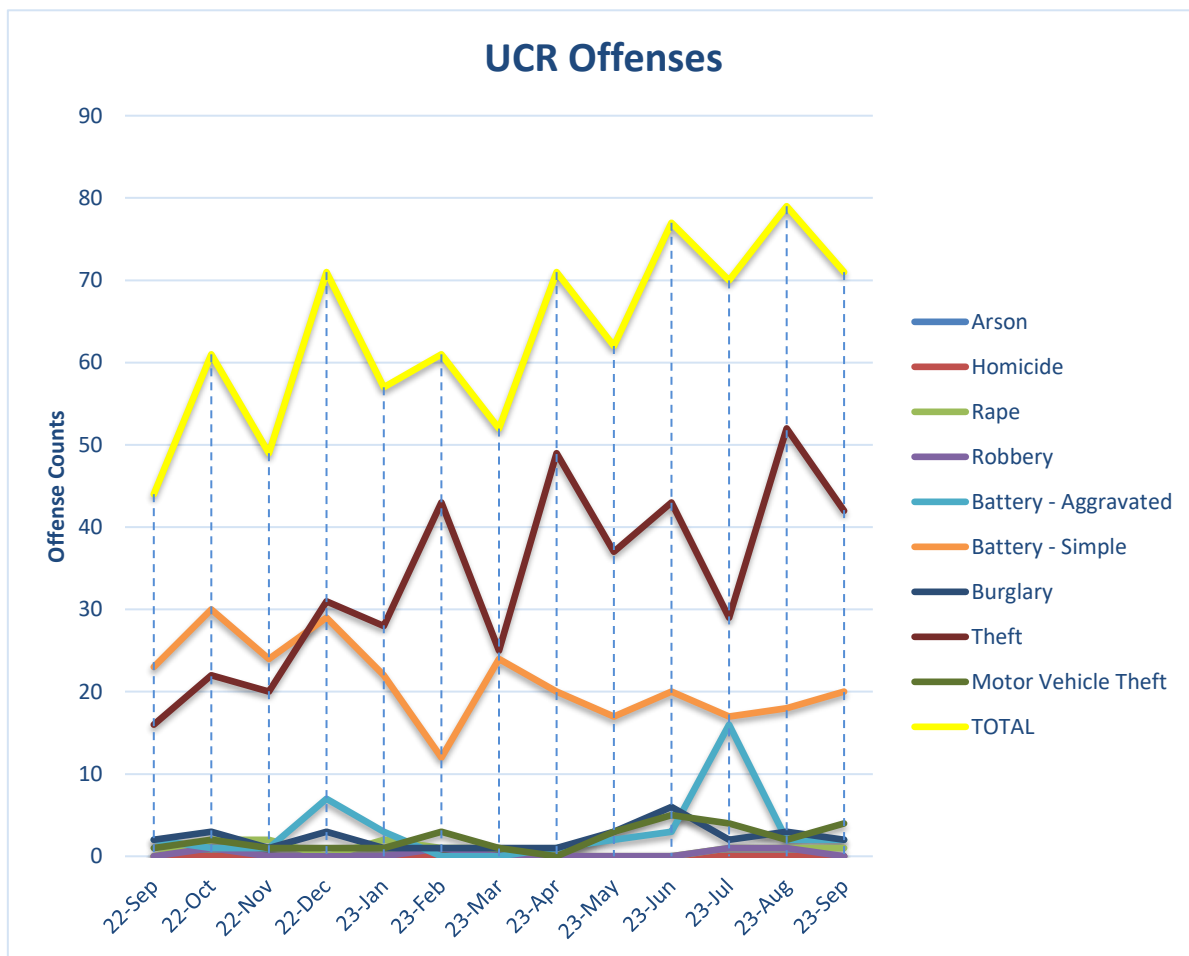
Monthly Events by Incident Type
September 2023



Westfield Police Department
September 2023

UCR OFFENSES

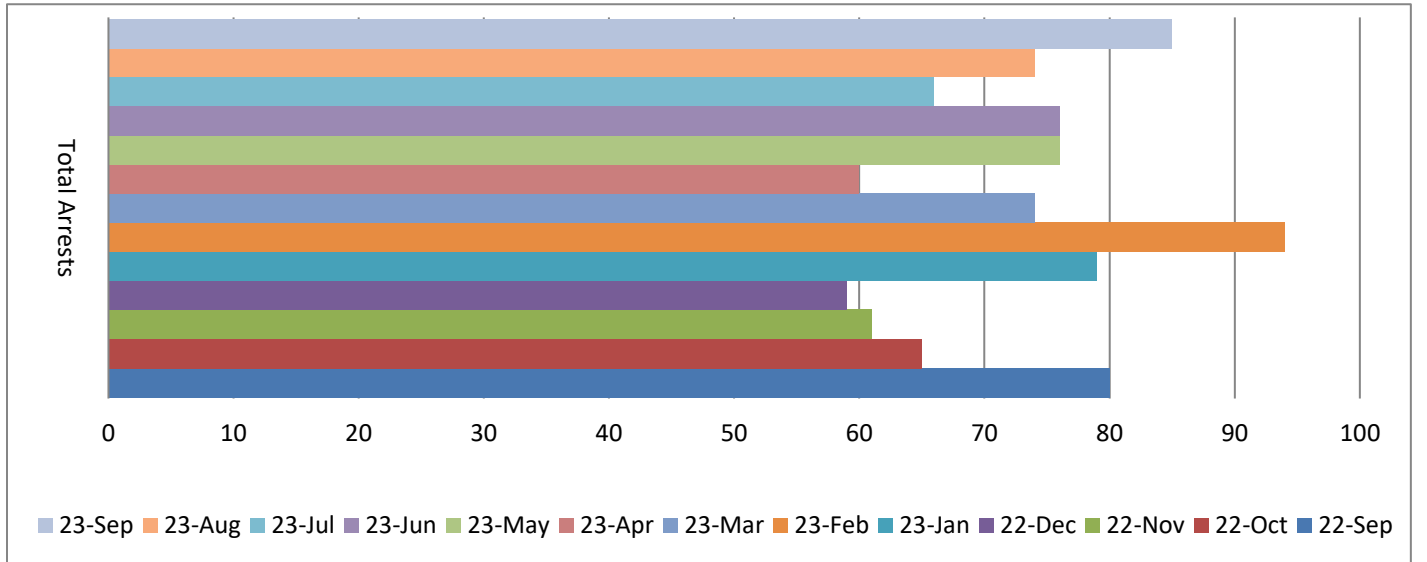
OFFENSE	22-Sep	22-Oct	22-Nov	22-Dec	23-Jan	23-Feb	23-Mar	23-Apr	23-May	23-Jun	23-Jul	23-Aug	23-Sep
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
Homicide	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	2	2	0	2	1	1	0	0	0	1	1	1
Robbery	0	1	0	0	0	1	0	0	0	0	1	1	0
Battery - Aggravated	2	1	1	7	3	0	0	1	2	3	16	2	2
Battery - Simple	23	30	24	29	22	12	24	20	17	20	17	18	20
Burglary	2	3	1	3	1	1	1	1	3	6	2	3	2
Theft	16	22	20	31	28	43	25	49	37	43	29	52	42
Motor Vehicle Theft	1	2	1	1	1	3	1	0	3	5	4	2	4
TOTAL	44	61	49	71	57	61	52	71	62	77	70	79	71



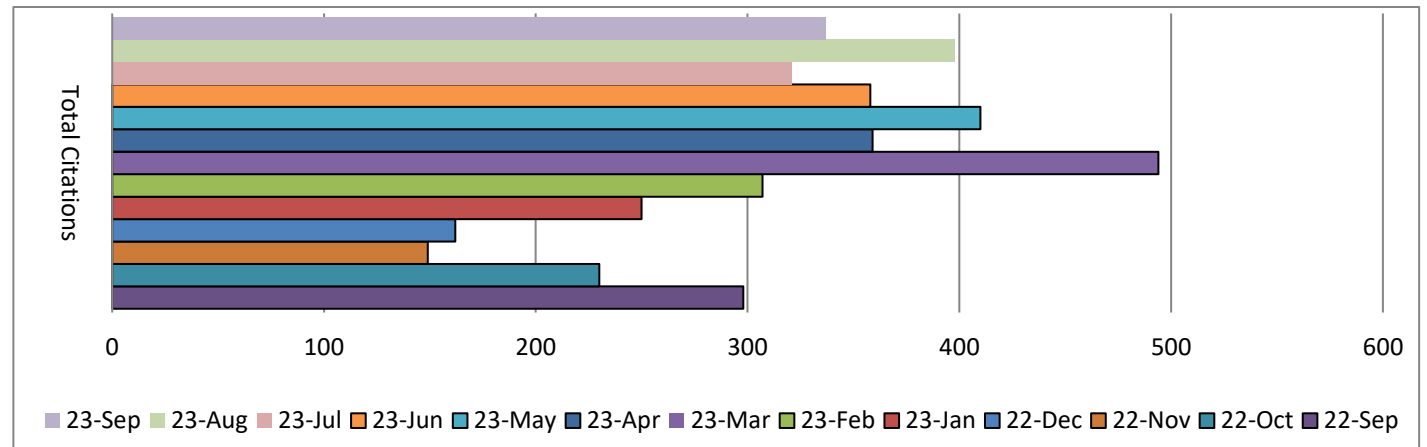
Westfield Police Department

September 2023

Arrest Reports Taken	22-Sep	22-Oct	22-Nov	22-Dec	23-Jan	23-Feb	23-Mar	23-Apr	23-May	23-Jun	23-Jul	23-Aug	23-Sep
Alcohol/ Drug Related	28	21	23	20	27	16	16	12	16	17	20	13	25
Felony Charges	37	20	31	26	28	10	45	25	79	42	38	51	39
Misdemeanor Charges	101	85	83	65	98	82	82	76	84	80	91	79	114
Total Arrests	80	65	61	59	79	94	74	60	76	76	66	74	85

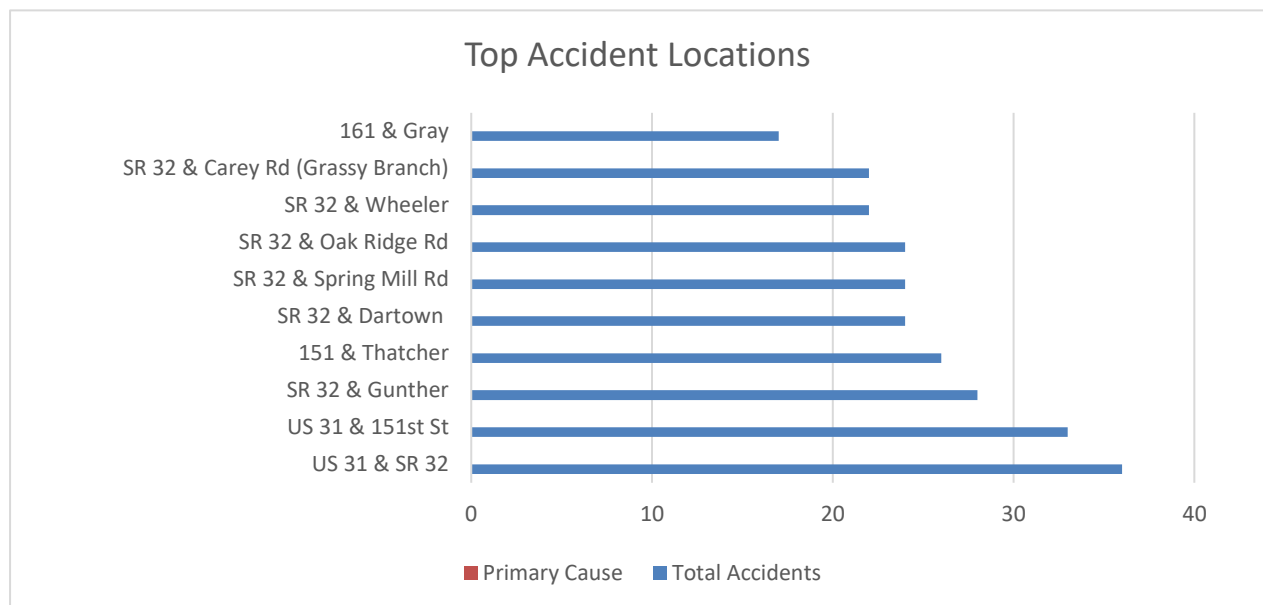


Traffic	22-Sep	22-Oct	22-Nov	22-Dec	23-Jan	23-Feb	23-Mar	23-Apr	23-May	23-Jun	23-Jul	23-Aug	23-Sep
Total Citations	298	230	149	162	250	307	494	359	410	358	321	398	337
Total Written Warning	1264	977	889	781	1130	1000	956	772	891	822	779	840	784
Total Traffic Accidents	71	94	65	77	67	54	74	59	83	92	72	76	72
Property Damage	62	82	58	64	60	43	64	48	71	83	59	65	63
Personal Injury	9	12	7	13	7	10	10	6	12	11	12	10	8
Fatality	0	0	0	0	0	1	0	1	0	0	1	1	1
Hit and Run*	7	8	10	8	10	6	11	5	7	18	8	7	6
*numbers included in property damage, personal injury, and fatality accidents													



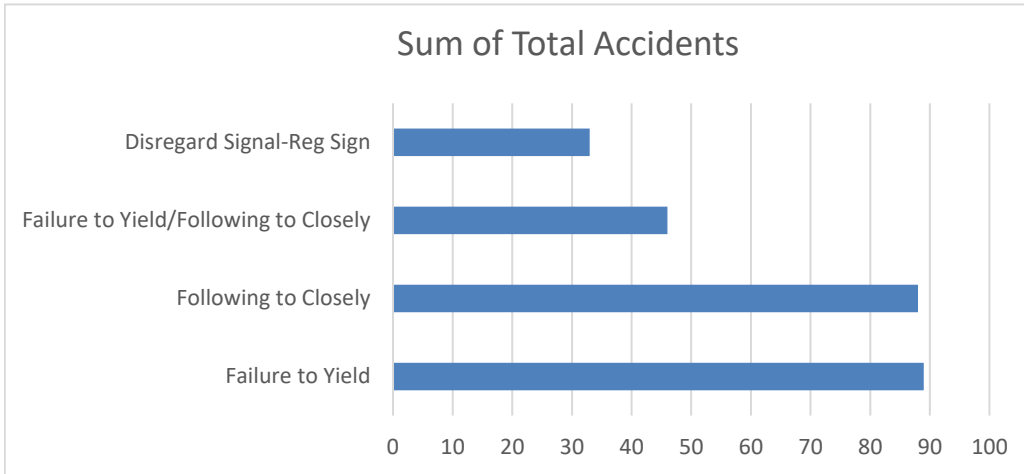
Westfield Police Department
September 2023

Top Accident Locations		
Accident Location	Total Accidents	Primary Cause
US 31 & SR 32	36	Following too Closely
US 31 & 151st St	33	Disregard Signal-Reg Sign
SR 32 & Gunther	28	Following too Closely
151 & Thatcher	26	Failure to Yield
SR 32 & Dartown	24	Failure to Yield/Following too Closely
SR 32 & Spring Mill Rd	24	Following too Closely
SR 32 & Oak Ridge Rd	24	Failure to Yield
SR 32 & Wheeler	22	Failure to Yield/Following too Closely
SR 32 & Carey Rd (Grassy Branch)	22	Failure to Yield
161 & Gray	17	Failure to Yield



Westfield Police Department
September 2023

Primary Cause	Sum of Total Accidents
Failure to Yield	89
Following to Closely	88
Failure to Yield/Following to Closely	46
Disregard Signal-Reg Sign	33



Westfield Police Department
September 2023

Community Events

9/3/23	Lemonade Stand Visit
9/5/23	Handed Out Sports Balls
9/6/23	Abbott Laboratories Visit
9/7/23	Breakfast and Ride to School
9/8/23	Texas Roadhouse Tip a COP Fundraiser
9/12/23	Maple Knoll Apartments Breakfast on the Go
9/16/23	Annual Fallen Officer Memorial
9/16/23	Cuisine Connect Culture Event
9/17/23	High School career Fair

ROAD IMPACT FEE INSTALLMENT AGREEMENT

Cross Referenced to Instrument No.

NX Westfield MOB, LLC (the "Property Owner") makes the following commitments (the "Commitments") to the City of Westfield, Hamilton County, Indiana ("City") regarding the installment payments for the Road Impact Fees properly assessed on the following described real estate (the "Real Estate") located in Hamilton County, Indiana:

Section 1. **Description of Real Estate:** See attached Exhibit A (the "Real Estate").

Address: 17300 Westfield Boulevard, Westfield, IN 46074

Parcel No: 09-09-01-00-00-006.001

Section 2. **Improvement Location Permit No.:** 23-C-023-1342 (the "ILP")

Builder/Contractor: Summit Construction

Section 3. **Statement of Terms:**

- A. As part of the development of the Real Estate, road impact fees are required to be paid to the City by the Applicant. In accordance with City Ordinance 12-13, the City assessed a road impact fee of **\$579,566** on September 20, 2022, attached hereto as Exhibit B (22-RIFA-18) (the "Assessed Road Impact Fee"), as part of the Applicant's filed ILP for the Real Estate.
- B. Pursuant to I.C. 36-7-4-1324 the City agrees to installment payments of the Assessed Road Impact Fees as set forth herein.
- C. Prior to the issuance of the ILP, the Applicant agrees to tender \$162,278.48.
- D. Pursuant to I.C. 36-7-4-1324 the City will charge three percent (3%) interest on an annual basis, only on the portion of the impact fee that is outstanding.
- E. Pursuant to I.C. 36-7-4-1324 the City may charge a ten percent (10%) penalty on any installment which is not paid by the payable due date set forth in Section F. This penalty will be assessed only to the installment amount which is overdue and is a one-time charge for that installment. Interest in the amount described in Section D may also be charged on the penalty amount in accordance with I.C. 36-7-4-1324.
- F. The Applicant agrees to make installment payments to the City for the remaining Assessed Road Impact Fee on or before the dates set forth below. The remaining amounts shall be due in equal payments beginning October 15, 2024 and every year thereafter, in accordance with the following:

Issuance of ILP:	\$162,278.48
October 15, 2024:	\$112,261.52
October 15, 2025:	\$112,261.52
October 15, 2026:	\$112,261.52
October 15, 2027:	\$112,261.52
Total Road Impact Fee:	\$611,324.56

- G. The Applicant is aware and agrees that a lien is placed upon the Real Estate pursuant to I.C. 36-7-4-1325 and the City reserves all rights of collection there under.

Section 4. **Binding on Successors and Assigns:**

This Agreement is binding upon each subsequent owner of the Real Estate, each other person acquiring an interest in the Real Estate, and each user of the Real Estate, unless modified or terminated by the City.

Section 5. **Effective Date:**

This Agreement is effective upon the issuance of the ILP and shall continue in effect until the Assessed Road Impact Fees are paid in full or unless modified or terminated in writing by the City.

Section 6. **Recording:**

The undersigned hereby authorizes the Westfield Economic and Community Development Department to record this Agreement in the Office of the Recorder of Hamilton County, Indiana, if desired by the City.

Section 7. **Enforcement:**

This Agreement may be enforced by the City of Westfield, and the only proper venue shall be the Hamilton Circuit or Superior Courts in Hamilton County, Indiana.

[Remainder of page intentionally left blank;
Signature page follows.]

NX WESTFIELD MOB LLC (the "Property Owner")
a Delaware limited liability company

By: HSRE-Westfield XIX, LLC, a Delaware limited liability company, its
Sole Member

By: NX Westfield MOB Holdco LLC,
a Delaware limited liability company,
its Member

By: NexCore Westfield Holdings LLC, a
Delaware limited liability company, its Managing Member

By: NexCore GP Equity Manager LLC,
a Delaware limited liability company,
its Manager

By: NexCore Development LLC,
a Delaware limited liability company,
its Managing Member

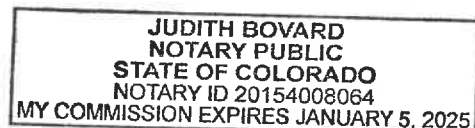
By: NexCore Real Estate LLC,
a Delaware limited liability company,
its Managing Member

By: NexCore Companies LLC,
a Delaware limited liability company,
its Managing Member

By: _____
Name: Robert Lawless
Title: Chief Financial Officer
Date: September 19, 2023

Before me the undersigned, a Notary Public in and for said County and State,
personally appeared the above party, who having been duly sworn acknowledged
the execution of the foregoing instrument.


SIGNATURE OF NOTARY PUBLIC



State of Colorado, County of Denver, SS: 524-70-1584

Subscribed and Sworn before me this 19th day of September, 2023

Printed Name of Notary Public Judith Bouard

My Commission Expires January 5, 2025

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Michael Pearce

Prepared by: Michael Pearce, P.E.
2706 E. 171st Street
Westfield, IN 46074

CITY OF WESTFIELD
BOARD OF PUBLIC WORKS & SAFETY

Larry Clarino

Date: _____

Jim Ake

Date: _____

Andy Cook

Date: _____

ATTEST:

Pat Leuteritz, Office Administrator

Exhibit A
Real Estate

LEGAL DESCRIPTION:

A PART OF THE SOUTHEAST QUARTER AND THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 18 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WASHINGTON TOWNSHIP OF HAMILTON COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 49 MINUTES 10 SECONDS EAST (ASSUMED BEARING) ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER 478.75 FEET; THENCE SOUTH 00 DEGREES 22 MINUTES 03 SECONDS WEST 1093.65 FEET TO THE POINT OF BEGINNING AND THE EAST RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 31; THENCE SOUTH 00 DEGREES 22 MINUTES 03 SECONDS WEST ALONG THE EAST LINE THEREOF A DISTANCE OF 583.79 FEET; THENCE SOUTH 89 DEGREES 37 MINUTES 57 SECONDS EAST A DISTANCE OF 336.00 FEET; THENCE NORTH 00 DEGREES 22 MINUTES 03 SECONDS EAST A DISTANCE OF 426.55 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 47 SECONDS WEST A DISTANCE OF 51.13 FEET; THENCE NORTH 00 DEGREES 04 MINUTES 13 SECONDS EAST A DISTANCE OF 158.98 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 47 SECONDS WEST A DISTANCE OF 284.05 FEET TO THE POINT OF BEGINNING, CONTAINING 4.32 ACRES, MORE OR LESS.

Exhibit B

Assessed Road Impact Fee

ROAD IMPACT FEE ESTIMATE

Estimate Request #: 22-RIFA-18
 Estimate Date: 09/20/22
 Assessment Performed by: Lauren Gillingham
 (I.C. 36-7-4-1321 and City Ordinance No. 17-43)



Property Information:	Applicant Information:
Property Description:	Name: Jay Jones
Parcel: 09-09-01-00-00-006.001	Address: 8888 Keystone Crossing STE 1300
Address: Approx. 535 Park St	Indianapolis, IN 46240
	303-244-0700
	Email: jay.jones@newkoregroup.com

Development Information:

Existing: 9500 sq ft industrial/warehouse
Proposed: 60,000 square foot surgery and imaging center
 4.32 acres

Zoning: Grand Millennium PUD

Road Impact Fee Calculation:

In accordance with I.C. 36-7-4-1321 and the City's adopted impact fee ordinance, road impact fees are calculated based on the number of twenty-four-hour trips taken from the latest version of the *Trip Generation Manual*, a study published by the Institute of Transportation Engineers (the following were developed based on the guidelines set forth in the 10th Edition).

Land Use Code:	Medical-Dental Office Building (720)
Independent Variable:	60,000 square feet
Weighted Trip Average:	34.82 per 1,000 Square feet (average weekday 24-hour trip rate)

Trips:

A "trip" is a single or one direction vehicle movement exiting or entering the site. For trip generation purposes, the total trips for a 24 hour period are the total of all trips entering plus all trips exiting a site during this period (e.g., one vehicle in and out of site equals two trips).

Pass-by Trips:

A pass by trip is a trip made as an intermediate stop from an origin to a primary destination, and is generally a trip attracted from traffic already passing the site on an adjacent street. Trip generation estimates may be able to be reduced, subject to the land use, its context and available data from the Trip Generation Manual. If appropriate, the calculation below takes pass by trips into consideration.

Calculation:

Trips:	Square feet	Variable	Trip Average		
	60,000	/ 1,000	x 34.82	=	2,089.20 24-hour trips
Pass-by Trips:	Average pass-by trip percentage:				0% pass-by trip reduction %
					0.00 pass-by trips
Credits:	84,000 sq ft of Manufacturing demolished:				368.42 structure demolition credits
	Total net trips:				1,719.78 24-hour trips

Road Impact Fee: \$337 per trip (effective 01/01/2022 through 12/31/2022)

Road Impact Fee Assessment:						Total Road Impact Fee:
24-hour trips	fee per trip		road impact fee	pass by trip discount	redevelopment credits	
2,089.20	x \$337	=	\$ 704,060	- \$ -	\$ 124,495	= \$ 579,565

X	This is being provided as an assessment of the road impact fees due for the development. Road impact fees are due by the applicant upon the City's issuance of an improvement location permit for this development. Please provide a copy of this assessment with any Improvement Location Permit application made with the City regarding this property.
	This is being provided as an estimate for informational purposes only at the request of the applicant and is not binding upon the applicant or the City. The actual assessment of road impact fees for this development is subject to change.

To: City of Westfield Board of Public Works & Safety

From: Chou-il Lee, Taft Stettinius & Hollister

Date: October 20, 2023

RE: Settlement Approval for Hunt Real Estate Eminent Domain Action

1. LAWSUIT

On January 25, 2022, the City of Westfield, Indiana filed an eminent domain action against Hunt Real Estate LLC (“Hunt”) to acquire a portion of Hunt’s property for the purpose of constructing a roundabout at the intersection of 161st Street and Oak Road. The property the City is acquiring totals 0.850 acres, consisting of 0.657 acres in fee simple and 0.193 acres of existing right-of-way (“Property”). On September 6, 2022 the City obtained an Order of Appropriation entitling the City to appropriate and take possession of the Property. The only issue remaining is the amount of damages Hunt is entitled to for the City’s acquisition of the Property.

2. SETTLEMENT IN PRINCIPLE

On October 18, 2023, the parties participated in a mediation and came to a settlement in principle to fully resolve the eminent domain action. The parties agree that Hunt should be compensated in the amount of \$63,250 for all damages resulting from the City’s acquisition of the Property. As a condition of the settlement, the City agrees it will provide its best efforts to provide any approvals or permitting that may be necessary to assist Hunt and Citizens Energy Group in their efforts to stack, combine, and/or reduce an easement that is the subject of a separate lawsuit under Cause No. 29D04-2302-PL-001740.

3. BOARD APPROVAL.

The City now must obtain the final approval of the above-describe settlement terms from the Board of Public Works & Safety to finalize the settlement. Once approved, the parties will reduce the settlement terms to a written document titled Agreed Findings and Judgment. The City thus also seeks approval from the Board to authorize Director Johnathon Nail to execute the Agreed Findings and Judgment.

THE WESTFIELD BOARD OF PUBLIC WORKS AND SAFETY September 27, 2023

The Westfield Board of Public Works and Safety met on September 27, 2023, in the City Hall Assembly Rm. Jim Ake, and Larry Clarino were present. Kim Strang, Deputy Clerk was present and Chou-il Lee attended virtually.

Jim Ake called the meeting to order at 1:00 PM

AGENDA ITEMS:

Action Item #1: Approval of Minutes from August 23, 2023

Jim Ake made the motion to approve the minutes as presented. Larry Clarino seconded. Vote: Yes-2; No-0. Motion carries.

CONTRACTS/AGREEMENTS

Action Item #2: NX Westfield Mob< LLC & City of Westfield-Grand Millennium Medical Office Building-Road Impact Fee Installment Agreement

TABLED

Action Item #3: Westfield Police Headquarters Project-Memorandum of Recommendation-Skender/Garmong Developer Team

Jeremy Lollar presented stating that the Westfield Police Headquarters Project Construction Committee is recommending Skender/Garmong as the developer for the new police headquarters. No money is needed at this time, will come after the schematic design portion is complete.

Larry Clarino made the motion to approve the recommendation of Skender/Garmong and to move forward with the project. Jim Ake seconded. Vote: Yes2; No-0. Motion carries.

Action Item #4: Citizens Wastewater of Westfield, LLC & City of Westfield -Utility Easement Agreement

Johnathon Nail presented stating that this will grant an easement along the southern border of city owned property (new fire station #81/Ditch Rd.) to Citizens Wastewater in order to operate, maintain, and replace utility facilities in, on, or along the property.

Jim Ake made the motion to approve the agreement. Larry Clarino seconded. Vote: Yes-2; No-0. Motion carries.

Action Item #5: Studio Axis & City of Westfield-Architect, Design, & Engineering-New Station 84

Jeremy Lollar presented stating that RFP's were sent out for design services for fire station #84. Three firms responded to the RFP and the company with the highest RFP score and the lowest proposed fee was chosen. Studio Axis's proposed fee was \$459,650 but has since been reduced to \$413,650. Ken Alexander, with GKA Services, LLC explained the reasoning behind the reduction in the fee. Mr. Alexander thanked the city for allowing the company to provide preconstruction support for the new station.

Larry Clarino made the motion to accept Studio Axis as the design team for the project. Jim Ake seconded. Vote: Yes-2; No-0. Motion carries.

Action Item #6: Panhandle Eastern Pipeline Company & City of Westfield-161st & Oak Roundabout-Letter of no Objection

Michael Pearce stated that the 161st and Oak RAB design has a drainage pipe that will cross over an existing Panhandle pipe. Panhandle normally requires 36" clearance between the top of their pipeline and the bottom of the drainage pipe. Due to existing grades and the design of the RAB that isn't achievable. This letter is an agreement with Panhandle that allows the drainage pipe to cross their pipeline and have a decreased clearance depth (21") between the two pipes.

Larry Clarino made the motion to accept the letter of no objection. Jim Ake seconded. Vote: Yes-2; No-0. Motion carries.

CHANGE ORDERS

Action Item #7: 2023 Striping Project-Change Order #1

Michael Pearce stated that the annual striping contract was awarded to Indiana Sign and Barricade in June 2023 for \$108,705.18 but since contract signing it has been determined that additional roadways need refreshed pavement markings. The additional scope of work will total approximately \$76,364.60 and will be paid out of the MVH fund.

Larry Clarino made the motion to approve the change order. Jim Ake seconded. Vote: Yes-2; No-0. Motion carries.

REQUEST FOR PROPOSALS/QUALIFICATIOND

Action Item #8: Westfield Police Headquarters Project-Veridus Group-Proposal Letter

Jeremy Lollar relayed that the Veridus Group, is proposing to provide project management and owner representation services for the new police station. The cost of their service is \$390,720 with an additional \$10,000 allowance for reimbursable expenses. Mr. Lollar informed the board that the e-verification, non-appropriation, non-discrimination language required by statute was not included in the attached contract but final contract would have the required language.

Jim Ake made the motion to accept the proposal with the added language to the contract. Larry Clarino seconded. Vote: Yes-2; No-0. Motion carries.

QUOTES

Action Item #9: Insane Impact-Parks Department-Single sided 17'x10' Mobile LED Trailer

Chris McConnell presented explaining this is for the purchase of a 10x17 LED mobile video trailer which would allow the city to expand video type events within the city's Parks. Events like Movies in the Parks (streaming live movies) could be done during the daytime, and Colts Camp could utilize it as well. It would allow more flexibility in what the city can do and offer to the community. This would also provide an opportunity to generate revenue by renting it out to other local municipalities (Average rate of \$45/day). The cost is \$146,600 and would be paid through Park Impact Fee dollars.

Jim Ake made the motion to approve action item number 9. Larry Clarino seconded. Vote: Yes-2; No-0. Motion carries.

CONSENT AGENDA:

WPD-Vehicle Disposal

WPD-Approval to Hire Officers: Bradley Robins, Nicholas Miller, & Casey Thifault

September Bond Information

Jim Ake made the motion to approve the consent agenda. Larry Clarino seconded. Vote: Yes-2; No-0. Motion carries.

DEPARTMENT REPORTS:

Fire- Rob Gaylor stated that he had one item that was not in his report but has a deadline that he needs to address. In December of 2021 there was an accident involving the city's ambulance. The process has been gone through with the insurance company, and the fire department is in possession of the ambulance. We have received the money from the insurance, now we have to pay the company that we purchased the unit from. The title and registration are needed by October 15th to get the unit in service. Chief Gaylor is asking permission from the board to allow the clerk's office to make that happen. Marla Ailor from the clerk's office stated the revenues have not been receipted in yet, they are pending Chief Gaylor's approval, but the fire department budget overall has enough money to cover it in order to expediently pay for the repair. Mrs. Ailor stated that since the council will not meet until 9th of October, the ask is for permission from this board, to pay for it now and make the necessary adjustments and transfers as they happen or have an additional appropriation to ratify what was done. Chou-il Lee advised that as long as the fire department has funds in their budget, then it can be done this way.

Larry Clarino made a motion to approve the repairs now out of the fire department's budget. Jim Ake seconded. Vote: Yes-2; No-0. Motion carries.

Police- Chief Rush

Public Works- Johnathon Nail

Larry Clarino made the motion to adjourn. Jim Ake seconded.
The meeting was adjourned at 1:52 PM

Deputy Clerk-Treasurer

Board of Public Works and Safety